

From: CC Grisham grish@me.com ■
Subject: Re: Complaint: EPA Region 6 Assistant Regional Counsel Gloria Moran's attempt to intimidate Grisham, Junior, a member of the public
Date: April 4, 2014 at 4:30 PM
To: Meyer, John Meyer.John@epa.gov
Cc: Charles Curtis Grisham Jr. grish@me.com, Murray, Suzanne Murray.Suzanne@epa.gov, Tzhone, Stephen tzhone.stephen@epa.gov, Sanchez, Carlos sanchez.carlos@epa.gov, Moran, Gloria Moran.Gloria-Small@epa.gov, Craig Ulmer Ulmer.Craig@epa.gov, Mccarthy, Gina mccarthy.gina@epa.gov, curry.ron@epa.gov, Coleman.sam@Epa.gov, Edlund.carl@Epa.gov



Mr. Meyer,

Thank you for your note and consideration. I hope EPA will update the Region 6 Organizational Chart found at <http://www.epa.gov/region6/org/6sf.pdf>

I had no idea Mr. Faultry was retiring. Mr. Faultry is the fourth person at EPA to retire while I have been working with them on Arkwood.

Have you had any involvement with or understanding of Arkwood prior to assuming your current position?

I see only one other email in my account that was copied to you.

With your permission, as you come "up to speed on the issues," I will forward to you communications from the past of which I'd like you to take notice.

I would like to meet with you also; will you be coming to visit the Arkwood site?

I will be in Arkansas April 12th-17th and I'd be happy to hop a Southwest flight to come visit informally with you for an hour or two if you are available during that timeframe.

I do believe you could, if you placed yourself in my position, understand my objections voiced in this and in other matters concerning the behavior of EPA staff with regard to Arkwood and my family.

I again wish to assert that I am BOTH a member of the public AND my father's spokesperson. I contend that the two statuses are not mutually exclusive, as EPA appears to assert.

I have not forfeited my status as a member of the public by communicating with EPA or any other party in the Arkwood matter, as EPA appears to assert.

I am highly concerned with the perceived threat contained in Ms. Moran's letter to my father that I could become a PRP as result of my communications with EPA.

EPA's "current understanding of (my) status to the Agency" is not at all clear to me.

Since the distinctions now drawn around my "status to the Agency" seem so important to McKesson Corporation and to EPA, please explain to me the legal upshot of my changed "status to the Agency."

Furthermore, why had EPA "stated this to McKesson Corporation at a meeting last December" but failed to address it with my father until March 25, 2014 or with me ever?

All I got was a courtesy copy of Ms. Moran's letter to my father by way of notification of the change affecting myself.

I got **no** courtesy copy of Ms. Moran's March 25th, 2014 letter to McKesson attorney John Edgcomb (attached,) which mentions me by name at least eight (8) times.

I find these to be further example of patently unfair treatment by EPA of my family and me coinciding with favored treatment by EPA of McKesson Corporation.

Curt Grisham



20140325 Moran to
Edgcomb -...00066 copy
On Apr 4, 2014, at 1:26 PM, Meyer, John <Meyer.John@epa.gov> wrote:

Mr. Grisham,

I am following up to your March 28, 2014 email to Suzanne Murray, Regional Counsel, U.S. EPA Region 6 concerning a March 25, 2014 letter from Gloria Moran, Assistant Regional Counsel, to your father, Mr. C.C. "Bud" Grisham. Your email represents your concerns with the letter received by your father. Ms. Murray asked that I respond on her behalf. I am currently the Acting Associate Director for the Superfund Remedial Branch as Mr. Charles Faultry has retired.

I am coming up to speed on the issues, but I wanted to share our reasons and the basis for the March 28th letter. In this letter, Ms. Moran was conveying our current understanding of your status to the Agency. This was important because we had stated this to McKesson Corporation at a meeting last December, and realized that it may not be clear to you or your father how we viewed your status. It is appropriate that Ms. Moran shared this information with you, and we attempted to do so in the interest of being as transparent as possible in our communications.

Please do not view this response, or our March 25th letter, in any way to diminish our communications with you concerning the Arkwood site. Mr. Faultry left me with strict instructions to continue a dialogue with you and to make sure that we are responsive to your concerns. I look forward to meeting with you in the future. I am wrapping things up today, but please do not hesitate to contact me at 214-665-6742 next week, or respond directly to me at this email address.

John Meyer

From: Curt Grisham [<mailto:grish@me.com>]

Sent: Saturday, March 29, 2014 2:04 AM

To: Tzhone, Stephen

Subject: Fwd: Complaint: EPA Region 6 Assistant Regional Counsel Gloria Moran's attempt to intimidate Grisham, Junior, a member of the public

FYI

Begin forwarded message:

From: CC Grisham <grish@me.com>

Date: March 28, 2014 at 20:53:16 PDT

To: Murray.suzanne@Epa.gov

Cc: "Charles Curtis Grisham Jr." <grish@me.com>, "Mccarthy, Gina"

<mccarthy.gina@epa.gov>, fraser.scott@epa.gov, Johnson.alisha@Epa.gov, "Elkins, Arthur"

<Elkins.arthur@Epa.gov>, reynolds.thomas@epa.gov, Craig Ulmer <Ulmer.Craig@epa.gov>,

Hooks.craig@Epa.gov, curry.ron@epa.gov, Coleman.sam@Epa.gov, Edlund.carl@Epa.gov,

Suttice.connie@Epa.gov, Blevins.john@Epa.gov, Seager.cheryl@Epa.gov,

McDonald.james@Epa.gov, Rodriguez.ray@Epa.gov, Perciasepe.bob@Epa.gov,

Gray.david@Epa.gov, Kantrowitz.susan@Epa.gov, Taylor.john@Epa.gov,

Freeman.angela@Epa.gov, Gelb.nanci@Epa.gov, [Showman.john@Epa.gov](mailto>Showman.john@Epa.gov),

Blankenship.steven@Epa.gov

Subject: Complaint: EPA Region 6 Assistant Regional Counsel Gloria Moran's attempt to intimidate Grisham, Junior, a member of the public

Suzanne Murray
Regional Counsel
US EPA Region 6
Fountain Place
1445 Ross Ave.
Dallas, TX 75202-2750
Dallas, Texas

Dear Ms. Murray,

I write to object strenuously to the tone and substance of the attached letter dated March 25, 2014, which was written by Assistant Regional Counsel Gloria Moran to my father Bud Grisham, with copies to PRP McKesson Corporation's attorney John Edgcomb and to me.

I attach also my father's response, which he has faxed to Ms. Moran after working on it late into this Friday evening, trying to relieve some of his own angst over her writing.

My father is eighty (80) years old, and Ms. Moran's letter has upset him greatly, as it has me.

I have complained in writing before about EPA's and McKesson Corporation's use of intimidation and threat against my family and me; I will not tolerate or overlook such treatment.

I believe Ms. Moran is now acting as McKesson Corporation's mouthpiece and actively advancing McKesson Corporation's agenda, which is adverse to my family.

Ms. Moran states to my father in her letter of March 25, 2014:

"This letter is intended to clarify the status of your son, Mr. Curt Grisham, concerning the Arkwood, Inc. Superfund site, Boone County Texas ('site')."

[The Arkwood site is in Arkansas, not Texas.]

However, I don't believe clarification is Ms. Moran's true intention for her March 25, 2014 letter to my father, because more than a year and one-half ago Ms. Moran herself had already fulfilled her purported intent "to clarify the status of your son" (myself) with letter to my father dated May 25, 2012, which states:

"Thank you for sending the 'Consent Form' which ratifies the U.S. Environmental Protection Agency (EPA) decision to continue communicating with Mr. Curt Grisham concerning the pertinent issues involving the Arkwood, Inc. Superfund site. Mr. Curt Grisham has been very helpful to the Region as works (sic) through various issues concerning the Arkwood site. I am enclosing a copy of your 'Consent Form' with an EPA receipt date stamp for your files."

I believe Ms. Moran's true intent for her March 25, 2014 letter to my father (a copy of which she sent directly to me) was --- at McKesson Corporation's behest --- to intimidate and threaten me in order to reduce the extent of my inquiries, essentially quashing my speech, as she states:

"For these reasons, the EPA cannot consider your son to be a 'member of the public' with regard to matters involving the Arkwood site. Please know that the EPA does not consider your son to be a potentially responsible party under the Superfund law for the Arkwood site *at this time*, but establishing that your son is your representative at EPA, acting on your behalf when communicating with EPA about the site, clarifies his status in connection with his communication with EPA Region 6, EPA Headquarters, other federal entities as well as the state of Arkansas." (emphasis added)

I believe Ms. Moran is taking direction from PRP McKesson Corporation in her attempt to intimidate me because her statements are closely parallel to those uttered in the past by McKesson Corporation employees, including attorney Don Smith, who demanded in writing that I cease communication with EPA and other agencies about the Arkwood matter, retracting my questions in writing with copies to him, also threatening to hold me liable for the Arkwood Inc. Superfund site.

My parents sold Arkwood Incorporated when I was a twelve years old.

In the past I have complained to the EPA Office of the Inspector General, to Administrator McCarthy and to others about EPA's use of threat and intimidation to achieve its purposes. Deputy Assistant Inspector General for Investigations Craig Ulmer has promised to investigate my claims of fraud, collusion and conflict of interest at EPA in the Arkwood matter. It remains to be seen what the outcome of that promise will be.

I am a member of the public, and I did not forfeit that status by communicating with my government, by helping my father any way I can, or by any other means, as Gloria Moran asserts in her letter.

I demand to know upon what grounds Gloria Moran believes that EPA could **ever** in the future come to consider me to be a PRP, since her letter clearly implies that is a possibility I now must dread and fear due to my communications with government on my father's behalf.

In closing, I would point out that the tone and substance of Ms. Moran's March 25, 2014 letter to

my father stands in sharp contrast to that of her May 25, 2012 letter to my father regarding the same "Consent Form" document Ms. Moran attaches to her more recent communication.

In her earlier letter of May 25, 2012, after offering that I had "been very helpful to the Region," Ms. Moran states to my father:

"As you are undoubtedly aware, the EPA is committed to meaningful public participation in the Superfund process. To achieve EPA's mission of protecting human health and the environment, the EPA must continue to provide for meaningful public involvement in its decision-making processes. Indeed, the information from the public -- interested individuals and organizations -- enhances the quality of EPA's decisions concerning a Superfund site.

"The decision-making process in EPA's Superfund program requires input from all stakeholders, including but not limited to, the potentially responsible parties, State and Federal partners, and of course, the public. The spirit of mutual trust, confidence and openness is fostered when the EPA considers the concerns and preferences of the public. Open access to EPA by all stakeholders is one key to the EPA's achievement of its mission.

"The EPA looks forward to continued access to Mr. Curt Grisham concerning the Arkwood site." (emphasis added)

Was Ms. Moran luring me into a false sense of security, that I might feel "trust" and "confidence" to continue communicating, while EPA and McKesson were concurrently planning to somehow strip me of my standing as a member of the public, somehow causing me to become a potentially responsible party?

Certainly, the "spirit of mutual trust, confidence and openness" --- which in fact had been fostered within me by Ms. Moran's earlier statements as well as by the good work of Don Williams, Stephen Tzhone and others --- has now been completely erased by Ms. Moran's letter.

Charles Curtis Grisham, Junior